

CIVIL RIGHTS COMMISSION[161]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 216.5, the Iowa Civil Rights Commission hereby gives Notice of Intended Action to amend Chapter 3, “Complaint Process,” Chapter 6, “Discrimination in Credit,” Chapter 9, “Discrimination in Housing,” and Chapter 10, “Discrimination in Public Accommodation,” Iowa Administrative Code.

These amendments modify the rules to conform to 2008 legislative changes by implementing changes in policy governing the deadline for filing a complaint with the Civil Rights Commission. The amendments also modify rules to conform to 2007 legislative changes by including sexual orientation and gender identity in existing rules on covered bases.

Any interested persons may make written comments on the proposed amendments on or before 4:30 p.m. on April 6, 2010. Written comments should be addressed to the Iowa Civil Rights Commission, Grimes State Office Building, Des Moines, Iowa 50319. Comments may also be submitted by fax to (515)242-5840 or by E-mail to ralph.rosenberg@iowa.gov.

A public hearing will be held in the Commission Office, First Floor South, Grimes State Office Building, East 14th and Grand Avenue, Des Moines, Iowa, from 2 to 4 p.m. on April 6, 2010. At this time, persons may present their views either orally or in writing. Persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Commission and advise of specific needs.

The proposed amendments are subject to the Commission’s general waiver provisions found at 161—Chapter 15.

These amendments are intended to implement 2009 Iowa Code Supplement section 216.15.

The following amendments are proposed.

ITEM 1. Amend subrule 3.3(1) as follows:

3.3(1) Limitation. The complaint shall be filed within the ~~180~~ 300 days after the occurrence of an alleged unlawful practice or act.

ITEM 2. Amend subrule 6.2(1) as follows:

6.2(1) The criteria used to evaluate applicants for credit and the standards necessary to be met by the successful applicants shall be the same regardless of the age, color, creed, national origin, race, religion, marital status, sexual orientation, gender identity, sex or physical disability of the applicant.

ITEM 3. Amend subrule 9.5(2) as follows:

9.5(2) Time limit for administrative complaint. A complaint which alleges a discriminatory housing or real estate practice is governed by the ~~180~~ 300-day time limit provided in 2009 Iowa Code Supplement section 216.15(~~12~~ 13).

ITEM 4. Amend rule **161—10.2(216)**, introductory paragraph, as follows:

161—10.2(216) Discrimination prohibited. No person shall be discriminated against on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability by any public accommodation by: